

#4



DATE RECEIVED 16 SEP 2002 C1 \$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of  
AMBERG et al.

Serial No. 10/089,146

Filed: Not Assigned

) Group Art Unit:

) Examiner:

For: INHIBITORS OF THE ENDOTHELIN SIGNALLING PATHWAY AND  $\alpha\beta_3$  INTEGRIN  
RECEPTOR ANTAGONISTS FOR COMBINATION THERAPY

I hereby certify that this correspondence  
is being deposited with the United States  
Postal Service as first class mail in an  
envelope addressed to Commissioner of  
Patents and Trademarks, Washington, D.C.  
20231, on:

9/11/02

Date of Deposit

Herbert B. Keil

Person Having Deposit

Signature

RESPONSE TO NOTICE OF MISSING REQUIREMENTS

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20031

Sir:

In response to the notice of missing requirements mailed August 9, 2002, attached  
please find an executed declaration for the above-identified application. Also attached is an  
assignment for recordation. A check for \$170.00 is attached for the surcharge and  
recordation fee. Should there be any additional fees, kindly charge Deposit Account No. 11-  
0345.

Respectfully submitted,

KEIL & WEINKAUF

Herbert B. Keil  
Reg. No. 18,967

09/19/2002 GFREY1 00000026 10089146  
01 FC:154 130.00 OP

1350 Connecticut Ave., N.W.  
Washington, D.C. 20036  
(202)659-0100



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/089,146	Wilhelm Amberg	51748

INTERNATIONAL APPLICATION NO.
PCT/EP00/09671

IA. FILING DATE	PRIORITY DATE
10/02/2000	10/06/1999

Keil & Weinkauff  
 1101 Connecticut Avenue N W  
 Washington, DC 20036

RECEIVED

AUG 14 2002

KEIL &amp; WEINKAUF

CONFIRMATION No. 9829

371 FORMALITIES LETTER



\*OC000000008598699\*

Date Mailed: 08/09/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 305-3738

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/089,146	PCT/EF00/09671	51748

FORM PCT/DO/EO/905 (371 Formalities Notice)

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

INHIBITORS OF THE ENDOTHELIN SIGNALLING PATHWAY AND  $\alpha_v\beta_3$   
INTEGRIN RECEPTOR ANTAGONISTS FOR COMBINATION THERAPY

the specification of which:

[ ] is attached hereto.

[x] was filed on \_\_\_\_\_ as Ser. No. 10/089,146

[x] was filed as PCT/EP00/09671 on October 2, 2000

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

[ ] In compliance with this duty, attached is an information disclosure statement.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
			Yes	No
<u>199 48 269.1</u>	<u>Germany</u>	<u>10/6/99</u>	[X ]	[ ]
Number	Country	Date Filed		
<u>199 62 998.6</u>	<u>Germany</u>	<u>12/24/99</u>	[X ]	[ ]
Number	Country	Date Filed		
<u>100 27 514.1</u>	<u>Germany</u>	<u>06/06/00</u>	[X ]	[ ]
Number	Country	Date Filed		
<u>100 28 579.9</u>	<u>Germany</u>	<u>06/14/00</u>	[X ]	[ ]
Number	Country	Date Filed		
<u>100 39 998.3</u>	<u>Germany</u>	<u>08/11/00</u>	[X ]	[ ]

Number Country Date Filed

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Serial No. Date Status

~~customer # 216,474~~

I hereby appoint KEIL & WEINKAUF their attorneys and/or agents: Herbert B. Keil, Reg. No. 18,967; Russell E. Weinkauff, Reg. No. 18,495; Gerald H. Bjorge, Reg. No. 32,386; Norman G. Torchin, Reg. No. 34,068; Henry R. Jiles, Reg. No. 32,677; Jason D. Voight, Reg. No. 42,205; George F. Helfrich, Reg. No. 22,350; Ronald H. Smith, Reg. No. 43,679; David C. Liechty, Reg. No. 48,692, the address of all being KEIL & WEINKAUF, 1101 Connecticut Avenue, N.W., Suite 620, Washington, D.C. 20036 (telephone (202)659-0100), with full power to prosecute this application and transact all business in the Patent Office connected therewith.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Wilhelm AMBERG

Full name of first or sole inventor

Wilhelm Amberg  
Inventor's signature

13.05.02  
Date

Rastatter Str. 55, 68239 Mannheim  
Residence

German  
Citizenship

Rastatter Str. 55, 68239 Mannheim  
Post Office Address

\*\*\*\*\*

2-00  
Andreas KLING  
Full name of second inventor

Andreas Kling 18.4.02  
Inventor's signature Date

68239 Mannheim, Germany German  
Residence Citizenship

Riegeler Weg 14, 68239 Mannheim, Germany  
Post Office Address

\*\*\*\*\*

3-00  
Wilfried HORNBERGER  
Full name of second inventor

Wilfried Hornberger 06.05.02  
Inventor's signature Date

67434 Neustadt, Germany German  
Residence Citizenship

Goldener Winkel 14, 67434 Neustadt, Germany  
Post Office Address

\*\*\*\*\*